

APPLICATION FOR RELOCATION OF A BRANCH BANK
submitted to the
ARKANSAS STATE BANK DEPARTMENT

By

Corporate Title of Applicant

Charter Number

Street Address

City

County

State

Zip Code

(hereinafter referred to as "**Applicant**")

hereby applies to the State Bank Commissioner and the bank's federal regulatory agency for written consent to relocate its branch bank facility operated at the following location:

Street Address

City

County

State

Zip Code

to the proposed location:

Street Address

City

County

State

Zip Code

Name, title, address, and telephone number of person(s) to whom inquiries concerning this application may be directed:

I hereby certify that the bank's board of directors has authorized the filing of this application and that to the best of my knowledge, it contains no misrepresentations or omissions of material facts.

Signature of Authorized Officer

Date of Application

Typed Name

Title

Telephone Number

AUTHORITY

A bank may establish one or more "full service branch" banks pursuant to the provisions of A.C.A. § 23-48-701, et seq. - Branch offices.

PROCEDURES

An application received by the State Bank Department (hereinafter "Department") will be reviewed for legality and receipt of all requested documentation prior to filing. Applicant will be notified in writing of the filing of the application.

Notice Published by Applicant: Notice of intent to file an application must appear in a newspaper of statewide circulation one time at or prior to the actual filing of the application with the Bank Commissioner. Evidence of such publication of notice must accompany the application.

Federal publication requirements for a branch relocation application vary by agency. The application should be submitted to the appropriate federal agency within time frames established by the agency.

Fee: Applicant shall submit to the Department a non-refundable filing fee of \$1,000 for a relocation application within the same municipality and a \$2,500 fee for a relocation application other than within the same municipality.

Written Decision: The Bank Commissioner's decision on a branch relocation application will be in the form of a final findings of fact, conclusions of law and an order given by the Commissioner within a reasonable time period **following the expiration of the fifteen (15) calendar day formal protest period.**

Appeal of Decision: Following adoption of the Commissioner's official findings of fact, conclusions of law, and order, an applicant or official protestant shall have thirty (30) days in which to appeal the Commissioner's order to the appropriate circuit court.

SUPPORTING INFORMATION/DOCUMENTATION

Applicant must submit the following information and/or documentation in support of the application to relocate a full service branch bank. Please number responses to correspond with the following:

- 1) State the purpose of the proposed branch relocation.
- 2) Submit a certified copy of a Board Resolution authorizing relocation of the branch. The Board Resolution must specify an authorized expenditure amount, which includes all fixed asset expenditures associated with relocation of the branch office.

See Attachment - **Resolution of the Board of Directors**

- 3) Arkansas Bank Department Rules and Regulations require publication in a newspaper of statewide circulation. Federal publication requirements vary by agency. Please check with your federal regulator for its requirements. Provide the name(s) and address(es) and the date of publication in the appropriate newspaper(s). Evidence of newspaper publication of notice must accompany this application. Part 303.44(c) of the FDIC Rules and Regulations also requires that in addition to published notice, the notice of the application shall be posted in the public lobby of the office to be relocated for at least 15 days beginning on the date of the last published notice required by section 303.44(a)(3).

See Attachment - **Legal Notices**

- 4) Provide a brief legal description of any property to be acquired, a physical description of any structures to be acquired or constructed, and an itemized schedule of costs. Submit a copy of any option-to-purchase executed by the bank or its representative and any proposed contract or estimate of costs to be incurred with the establishment of the proposed branch. If the property for the relocated branch already has been acquired, note the date of Commissioner approval.

See Attachment - **Fixed Asset Expenditures**

- 5) Provide evidence that management has assessed environmental risks (existing and/or potential contamination and anticipated cleanup costs) associated with the property to be acquired.
- 6) Provide a copy of the proposed lease(s) of any property or assets associated with relocation of the branch.
- 7) Provide an itemized list of all equipment, furniture, fixtures, vault, etc., to be acquired. (The bank, in relocating this office, must develop external security procedures and install security devices in compliance with applicable federal statutes and regulations).

SUPPORTING INFORMATION/DOCUMENTATION
(continued)

8) Discuss details concerning any involvement, directly or indirectly, by an insider (executive officers, directors, or shareholders who directly or indirectly controls five (5) percent or more of any class of outstanding voting stock) of the bank or bank holding company (if applicable) or their immediate family or related interests. Provide the following information regarding any financial arrangements relating to fees, the acquisition of property, leasing of property, and construction contracts:

- a) name of individual or related interest and relationship to Applicant; and
- b) information to reflect that terms and conditions are not more favorable, for seller/lessor, than would be available in a comparable transaction with an unrelated party (information should include the fair market value or appraised value of any property, building, fixtures, equipment, etc., to be acquired and comparative sales information). The appraisal or evaluation submitted must be prepared by an independent party.

9) Discuss the impact of the relocated branch on the human environment, specifically, information on compliance with local zoning laws and regulations and the effect on traffic patterns.

10) Unless the proposed location is in an established commercial shopping center, Applicant must submit a statement to the FDIC to indicate whether or not the site is included or is eligible for inclusion in the National Register of Historic Places, including evidence that clearance has been obtained from the State Historic Preservation Officer (SHPO). For obtaining such clearance, the enclosed form "Request for Cultural Resource Assessment" must be completed, signed and forwarded directly to the SHPO. Please forward the completed form to the FDIC. Respond "Not Applicable" if Applicant is a Federal Reserve member bank.

See Attachment - **State Historic Preservation Information**

11) Discuss plans for disposition of any real property owned by Applicant to be vacated upon relocation.

12) State the anticipated date the relocated branch office would be open for business.

RESOLUTION OF THE BOARD OF DIRECTORS

The Board of Directors of the Applicant Bank at a meeting duly called and held on _____ adopted the following Resolution: _____ Date

WHEREAS, it is the sense of this meeting that application should be made on behalf of this bank to the State Bank Commissioner for written consent to relocate a branch from:

Street Address

City

County

State

to the proposed location:

Street Address

City

County

State

in accordance with provisions of **State and Federal laws**, and banking regulations.

NOW, THEREFORE, IT IS RESOLVED, that the President or Vice President and the Cashier or Secretary of this bank are hereby authorized and directed to make application on behalf of this bank to the State Bank Commissioner to relocate a branch as indicated and to submit in connection therewith information on several factors enumerated in State and Federal statutes and to provide such assurances as may be required for the purpose of inducing the State Bank Commissioner to grant written consent to the relocation of a branch. The Board of Directors of the Applicant Bank hereby authorize expenditures up to \$_____ for the relocation of the branch. Additional expenditures above the approved amount must have the prior approval of the Board of Directors.

The above Resolution has not been rescinded or modified and has been duly entered in the minutes book of the Applicant Bank. Application is made hereby.

Name and Location of Applicant Bank

Signature of President or Vice President

Date

Attest (Cashier or Secretary)

Date

Seal

LEGAL NOTICE
(for non-member banks)

Notice is hereby given that *(name and location of applicant)* has made application to the Federal Deposit Insurance Corporation and the Arkansas State Bank Department for *(subject matter of application, including the specific location)*.

Any person wishing to comment on this application may file his or her comments in writing with the Regional Director (DCS) of the Federal Deposit Insurance Corporation at its Area Office at 5100 Poplar Avenue, Suite 1900, Memphis, Tennessee 38137, not later than *(insert the date 15 days after the publication date)*. The nonconfidential portions of the application are on file in the Area Office and are available for public inspection during regular business hours. Photocopies of information in the nonconfidential portion of the application will be made available upon request.

Any person desiring to comment on this application to the Arkansas State Bank Department may do so by filing his or her comments in writing to the State Bank Commissioner at the office of the department, 400 Hardin Road, Suite 100, Little Rock, Arkansas 72211. Written comments, including any formal protests, concerning this application must be received in the Arkansas State Bank Department no later than 15 days following the date of the actual filing of the application.

This notice is published pursuant to Part 303.7 of the Rules and Regulations of the Federal Deposit Insurance Corporation and the Arkansas Banking Code of 1997, as amended.

LEGAL NOTICE

NOTE: Federal Reserve member banks are required to publish separate legal notices for the Federal Reserve and the State Bank Department.

(for Federal Reserve member banks)

(Name and location of main office) intends to apply to the Federal Reserve Board for permission to relocate an existing branch office from *(current branch address, city, county, state)* to *(address, city, county, state)*. The Federal Reserve considers a number of factors in deciding whether to approve the application including the record of performance of banks we own in helping to meet local credit needs.

You are invited to submit comments in writing regarding this application to the Federal Reserve Bank of St. Louis, P.O. Box 442, St. Louis, Missouri 63166 *(or other appropriate Federal Reserve Bank)*. The comment period will not end before *(date - must be not less than 15 days from date of notice)* and may be somewhat longer. The Board's procedures for processing applications may be found at 12 C.F.R. Part 262. Procedures for processing protested applications may be found at 12 C.F.R. § 262.25. To obtain a copy of the Board's procedures or if you need more information about how to submit your comments on the application contact Glenda Wilson, Community Affairs Officer, at 314-444-8317. The Federal Reserve will consider your comments and any request for public meeting or formal hearing on the application if they are received by the Reserve Bank on or before the last date of the comment period.

This notice is published pursuant to the Federal Reserve Act.

(for the Arkansas State Bank Department)

Notice is hereby given that *(name and location of applicant)* has made application to the Arkansas State Bank Department for *(subject matter of application, including the specific location)*.

Any person desiring to comment on this application to the Arkansas State Bank Department may do so by filing his or her comments in writing to the State Bank Commissioner at the office of the department, 400 Hardin Road, Suite 100, Little Rock, Arkansas 72211. Written comments, including any formal protests, concerning this application must be received in the Arkansas State Bank Department no later than 15 days following the date of the actual filing of the application.

This notice is published pursuant to The Arkansas Banking Code of 1997, as amended.

FIXED ASSET EXPENDITURES

PERMANENT QUARTERS ANTICIPATED

Give brief physical description of structures to be acquired or constructed, including square footage, number of offices, number of teller windows, etc. Also, include legal description of property.

Circle One	Owned	Leased	Total Cost
IF OWNED	Land Building Furniture and Equipment TOTAL FIXED ASSET EXPENDITURE		
IF LEASED	Leasehold Improvements Furniture and Equipment TOTAL FIXED ASSET EXPENDITURE		

Additional comments:

Are temporary quarters anticipated:		___ Yes	___ No
If yes, complete the following:			
STREET ADDRESS	DIRECTION AND DISTANCE FROM PERMANENT QUARTERS		
	MONTHLY RENTAL OR COST (SPECIFY)		

Form BRRELAPP-100 08/03

STATE HISTORIC PRESERVATION INFORMATION

FOR USE BY STATE HISTORIC
PRESERVATION OFFICER

MAIL COMPLETED FORM TO:

RECEIVED : _____
CH# : _____
N/E : _____
SURVEY : _____

STATE HISTORIC PRESERVATION OFFICER
ARKANSAS HISTORIC PRESERVATION
1500 TOWER BUILDING
323 CENTER STREET
LITTLE ROCK, ARKANSAS 72201
501-324-9880

REQUEST FOR CULTURAL RESOURCE ASSESSMENT

I. Applicant _____ County of project _____
Applicant's address _____ City _____ Zip _____
Contact person _____ Telephone _____
Contact person's address, if different from applicant's
Street/P.O. Box _____ City _____ Zip _____

If applicant is not a federal agency, to which federal agency is applicant applying:

Federal Program:

Circle type of assistance sought:
Grant **Loan** **Other**

Signature of applicant or contact person requesting this assessment

Date

II. 1. Briefly describe this project:

If program involves more than one project/activity, complete separate assessment for each one.

2. Has the identical project been previously submitted for cultural resource assessment? Yes No

3. Project Location

- a. Attach a county, city, or USGS quadmap indicating the precise location of the project and the acreage involved. If program involves more than one project/activity, one map indicating all projects is sufficient.
- b. how many acres are in the project area? _____ acres
- c. If the project is outside city limits, give a quarter-by quarter section, township, and range description (not necessary if the project map contains the information).

4. To your knowledge has a cultural resources survey been conducted in the project area? Yes No
If **YES**, attach survey report.

5. a. Will the project involve an addition to, or destruction, alteration, or renovation of any tructure?
(If **NO**, proceed to item 6) Yes No
- b. Was affected structure built before World War II? Yes No
(If **NO**, proceed to item 6)
- c. Who owns the structure? _____
- d. What was the approximate date of construction? _____
- e. Attach snapshots of front and rear elevations; another snapshot should indicate the location of any proposed addition/alteration.
- f. Have plans and specifications for the renovation, alteration, or addition been completed? Yes No
- g. Attach plans. (Plans for a new structure to replace a demolished one should not be attached.)
6. a. Will construction take place adjacent to any structure which is approximately fifty years old or older (If **NO**, proceed to item 7)? Yes No
- b. Give address of structure(s), and, if known, owner's name and telephone.

c. Give approximate construction date of structure(s)

- d. Attach snapshot of structure(s) and on project map indicate its location in relation to the project.

7. Has the ground at the project location been previously developed, graded, or disturbed (other than in connection with any structure described in item 5)? Yes No

If **YES**, describe disturbed/developed portion (graded, farmed, etc.) and indicate on project map.

8. a. Will this project necessitate the acquisition of fill material? Yes No
If **NO**, proceed to item 9.

b. Approximately how many cubic yards of material will be acquired? cu. yd.

- c. Has the site from which material will be acquired been selected? Yes No
If **NO**, proceed to item 9

d. Indicate borrow area(s) on project map and **GIVE APPROXIMATE ACREAGE** of each borrow site.

- e. Has material been taken from the borrow area(s) for other projects? Yes No

9. a. Does this project involve road/street construction? Yes No
If **NO**, proceed to item 10.

b. Give special attention to item 6 **AND** indicate on project map each:

1. New right-of-way
2. New street/road construction
3. Street/road to be overlaid
4. Street/road to be widened

10. Will this project affect any property which is of apparent educational or scientific interest? Yes No

If **YES**, describe the interest (geological, biological, etc.)

11. Describe the present use and condition of the property:

12. If necessary, elaborate on the above questions, and/or include any additional information which you think would be helpful in the review of this project.